

10/26/01

11048 U.S. PTO

12-14-01

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PTO/SB/05 (03-01)

Please type a plus sign (+) inside this box ☒

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	30794.32USD1
First Inventor	Cyrus R. Safinya
Title	MACROMOLECULE-LIPID COMPLEXES AND METHODS FOR MAKING AND USING
Express Mail Label No.	ET842494935US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages 69]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 21]
- Oath or Declaration [Total Pages 9]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
- ☒ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of prior application No. 09 / 105,571
(when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. transmittal sheets (2 pages).
- ☒ Other: check

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

<input type="checkbox"/> Continuation	<input checked="" type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No. 09 / 105,571
Prior application information:		Examiner P. McQueeney	Group Art Unit: 1615

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	26,941	or	<input type="checkbox"/> Correspondence address below
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Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Sarah B. Adriano	Registration No. (Attorney/Agent)	34,470
Signature	Sarah B. Adriano	Date	10/26/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$) 630.00**Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Cyrus R. Safinya
Examiner Name	P. McQueeney
Group Art Unit	1615
Attorney Docket No.	30794.32USD1

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-0306

Deposit
Account
Name

MANDEL & ADRIANO

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	370.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 370.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
24	-20** = 4	9.00	36.00
5	-3** = 2	42.00	84.00
Multiple Dependent		140.00	140.00

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Sarah B. Adriano

Registration No
(Attorney/Agent)

34,470

Telephone

(626) 395-7801

Signature

Sarah B. Adriano

Date

10/26/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
30794.32USU2	unknown	Unknown	P. McQueeney	1615

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: ET842494935US
Date of Deposit: October 26, 2001

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: _____
Name: Renato Marco P. Domingo

DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b) of Serial No. 09/105,571, filed on June 26, 1998 entitled MACROMOLECULE-LIPID COMPLEXES AND METHODS FOR MAKING AND USING by the following inventor(s):

Full Name Of Inventor	Family Name Safinya	First Given Name Cyrus	Second Given Name R.
Residence & Citizenship	City Santa Barbara	State or Foreign Country California	Country of Citizenship US
Post Office Address	Post Office Address 1128 N. Patterson Avenue	City Santa Barbara	State & Zip Code/Country California 93106/USA
Full Name Of Inventor	Family Name Raedler	First Given Name Joachim	Second Given Name O.
Residence & Citizenship	City Garching	State or Foreign Country Germany	Country of Citizenship Germany
Post Office Address	Post Office Address Romerhofweg 51	City Garching	State & Zip Code/Country D-85748/Germany
Full Name Of Inventor	Family Name Koltover	First Given Name Ilya	Second Given Name
Residence & Citizenship	City Pasadena	State or Foreign Country California	Country of Citizenship US
Post Office Address	Post Office Address 343 S. Madison Avenue	City Pasadena	State & Zip Code/Country California 91101/USA

- ☒ Enclosed is a true and correct copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The copy of the prior application is as follows: 57 pages of specification, 131 claims (11 pages), 1 pages of abstract, 21 sheets of drawings, and 9 pages of oath or declaration.
- ☒ Cancel in this application original claims 1-30 and 47-55 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

3. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS:				
24 -20	4	X	\$9.00	\$36.00
INDEPENDENT CLAIMS				
5 -3	2	x	\$42.00	\$84.00
			MULTIPLE DEPENDENT CLAIM:	\$140.00
			BASIC FILING FEE:	\$370.00
			TOTAL FILING FEE:	\$630 .00

- ☒ Applicants claim small entity.

- ☒ Payment of fees:

- ☒ Attached is a check in the amount of \$630.00.
☐ Please charge Deposit Account No. 50-0306.

- ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 50-0306.

- ☒ Amend the specification by replacing the first full paragraph of page 1 with the following:

"This is a divisional application of U.S. Serial No. 09/105,571, filed June 26, 1998, which is a continuation-in-part application of U.S. Serial No. 08/985,625, filed December 5, 1997, which claims the priority of U.S. Serial No. 60/032,163, filed December 6, 1996. The contents of all of the foregoing applications are incorporated herein by reference into the reference application."

7. ☐ A set of formal drawings (____ sheets) is enclosed.
8. ☐ Priority of application Serial No. _____, filed on _____ in _____, is claimed under 35 U.S.C. 119.
- ☐ The certified copy has been filed in prior application Serial No. _____, filed _____.
9. ☒ The prior application is assigned of record to The Regents of the University of California.
10. ☒ The Power of Attorney in the prior application is to:

Mandel & Adriano
35 N. Arroyo Parkway, Suite 60
Pasadena, California 91103

11. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ Fee for excess claims is attached.

12. ☐ A petition and fee has been filed to extend the term in the prior application until _____. A copy of the petition for extension of time in the prior application is attached.
13. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
14. ☒ Also Enclosed: Utility Patent Application Transmittal (2 sheets), Fee Transmittal (2 sheets), Application Data Sheet (2 sheets)
15. ☒ Address all future communications to the **Attention of Sarah B. Adriano** (may only be completed by attorney or agent of record) at the address below.
16. ☒ A return postcard is enclosed.

Respectfully submitted,

Sarah B. Adriano

Sarah B. Adriano

Reg. No. 34,470

Attorney for Applicants

Mandel & Adriano

35 No. Arroyo Parkway, Suite 60

Pasadena, California 91103

626/395-7801

Customer No. 26,941

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